

<p>Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address</p> <p>Michael Jay Berger (SBN 100291) Law Offices of Michael Jay Berger 9454 Wilshire Blvd., 6th Fl. Beverly Hills, CA 90212 Tel.: (310) 271-6223 Fax: (310) 271-9805 Michael. Berger@bankruptcypower.com</p> <p><input type="checkbox"/> Individual appearing without attorney <input checked="" type="checkbox"/> Attorney for: Mr. Tortilla, Inc.</p>	<p>FOR COURT USE ONLY</p> <div data-bbox="1049 264 1432 533" style="border: 1px solid black; padding: 10px; text-align: center;"><p>FILED & ENTERED</p><p>MAR 04 2024</p><p>CLERK U.S. BANKRUPTCY COURT Central District of California BY Pgarcia DEPUTY CLERK</p></div> <p>CHANGES MADE BY COURT</p>
<p>UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA -<u>SAN FERNANDO VALLEY</u> DIVISION</p>	
<p>In re:</p> <p>Mr. Tortilla, Inc.</p> <p style="text-align: right;">Debtor(s).</p>	<p>CASE NO.: 1:24-bk-10228-VK CHAPTER: 11</p> <p>ORDER:</p> <p><input checked="" type="checkbox"/> GRANTING APPLICATION AND SETTING HEARING ON SHORTENED NOTICE</p> <p><input type="checkbox"/> DENYING APPLICATION FOR ORDER SETTING HEARING ON SHORTENED NOTICE</p> <p style="text-align: right;">[LBR 9075-1(b)]</p>
<p>Movant (name): Mr. Tortilla, Inc.</p>	

1. Movant filed the following motion together with supporting declarations and (if any) supporting documents:
 - a. *Title of motion:* Debtor's Motion for an Order Authorizing Debtor to Satisfy Pre-Petition Claims of Critical Vendor Amazon.Com Services, LLC Necessary for Debtor's Continued Business Operations; Declaration of Anthony Alcazar in Support Thereof
 - b. *Date of filing of motion:* March 1, 2024
2. Pursuant to LBR 9075-1(b), movant also filed an Application for Order Setting Hearing on Shortened Notice (Application) together with supporting declaration(s):

Date of filing of Application: March 1, 2024
3. Based upon the court's review of the application, it is ordered that:
 - a. ☐ The Application is denied. The motion may be brought on regular notice pursuant to LBRs.
 - b. ☒ The Application is granted, and it is further ordered that:

This form is optional. It has been approved for use by the United States Bankruptcy Court for the Central District of California.

(1) ☒ A hearing on the motion will take place as follows:

Hearing date: March 7, 2024	Place:
Time: 1:30 p.m.	<input type="checkbox"/> 255 East Temple Street, Los Angeles, CA 90012
Courtroom: 301	<input checked="" type="checkbox"/> 21041 Burbank Boulevard, Woodland Hills, CA 91367
	<input type="checkbox"/> 3420 Twelfth Street, Riverside, CA 92501
	<input type="checkbox"/> 411 West Fourth Street, Santa Ana, CA 92701
	<input type="checkbox"/> 1415 State Street, Santa Barbara, CA 93101

Effective October 2, 2023, Judge Kaufman has resumed in-person hearings. However, parties in interest (and their counsel) may continue to participate in most hearings remotely using ZoomGov audio and video. **Any attorney or party in interest who makes an appearance on the record, via ZoomGov, must appear by video.**

Unless otherwise ordered by Judge Kaufman, no party or witness may appear remotely for any trial or evidentiary hearing.

MEMBERS OF THE PUBLIC AND THE PRESS MAY ONLY CONNECT TO THE ZOOM AUDIO FEED, AND ONLY BY TELEPHONE. ACCESS TO THE VIDEO FEED BY THESE INDIVIDUALS IS PROHIBITED. IN THE CASE OF A TRIAL OR EVIDENTIARY HEARING, NO AUDIO ACCESS WILL BE PROVIDED. HOWEVER, MEMBERS OF THE PUBLIC AND THE PRESS MAY OBSERVE SUCH PROCEEDINGS IN PERSON.

The following instructions will apply to the ZoomGov hearing:

Meeting Information: March 7, 2024

Meeting URL: <https://cacb.zoomgov.com/j/1608055403>

Meeting ID: 160 805 5403

Password: 464345

Join by Telephone: 1-669-254-5252 or 1-646-828-7666

Meeting ID: 160 805 5403

Password: 464345

Hearing participants and members of the public may view and listen to the hearing through ZoomGov free of charge. Individuals may connect by ZoomGov video and audio using a personal computer (equipped with camera, microphone and speaker), or a handheld mobile device (such as an iPhone). Neither a Zoom nor a ZoomGov account is necessary to participate and no pre-registration is required.

The audio portion of each hearing will be recorded electronically by the Court and constitute its official record.

All persons (other than Court staff creating the official record of the hearing) are strictly prohibited from making any audio or video recording of the proceedings.

(2) ☒ No later than the deadlines given, **telephonic notice** of the hearing must be provided to all persons/entities listed:

(A) <u>Deadlines:</u> Date: March 4, 2024 Time: 5:00 p.m.	(B) <u>Persons/entities to be provided with telephonic notice:</u> <input type="checkbox"/> See attached page
(C) <u>Telephonic notice is required upon the United States trustee</u>	

- (3) ☒ No later than the deadlines given, **written notice of the hearing** and a **copy of this order** must be served upon all persons/entities listed using: ☒ one of the methods checked ☐ all of the methods checked

(A) ☐ Personal Delivery ☒ Overnight Mail ☐ First class mail ☐ Facsimile* ☐ Email*

<p>(B) <u>Deadlines:</u> Date: March 5, 2024 Time: 12:00 p.m. *To be received by this date and time.</p>	<p>(C) <u>Persons/entities to be served with written notice and a copy of this order:</u></p> <ul style="list-style-type: none">• Secured Creditors• 20 largest unsecured creditors• IRS – to be served at its mailing address in accordance with the Central Guide Supplement to FRBP 5003(e). <p><input type="checkbox"/> See attached page</p> <p>(D) <u>Service is also required upon:</u></p> <p>-- United States trustee (electronic service is not permitted)</p> <p>-- Judge's copy personally delivered to chambers (see Court Manual for address)</p>
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- (4) ☒ No later than the deadlines given, a copy of the motion, declarations, and supporting documents (if any), must be served on all persons/entities listed using: ☒ one of the methods checked ☐ all of the methods checked

(A) ☐ Personal Delivery ☒ Overnight Mail ☐ First Class Mail ☐ Facsimile* ☐ Email*

<p>(B) <u>Deadlines:</u> Date: March 5, 2024 Time: 12:00 p.m. *To be received by this date and time.</p>	<p>(C) <u>Persons/entities to be served with motion, declarations, supporting documents:</u></p> <ul style="list-style-type: none">• Secured Creditors• 20 largest unsecured creditors• IRS – to be served at its mailing address in accordance with the Central Guide Supplement to FRBP 5003(e). <p><input type="checkbox"/> See attached page</p> <p>(D) <u>Service is also required upon:</u></p> <p>-- United States trustee (no electronic service permitted)</p> <p>-- Judge's copy personally delivered to chambers (see Court Manual for address)</p>
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- (5) ☐ Regarding **opposition to the motion**

☒ opposition to the motion may be made **orally** at the hearing

☐ no later than the deadlines given, **written opposition to the motion** must be filed with the court and served upon all persons/entities listed using: ☐ one of the methods checked ☐ all of the methods checked

(A) ☐ Personal Delivery ☐ Overnight Mail ☐ First Class Mail ☐ Facsimile* ☐ Email*

(B) <u>Deadlines:</u> Date: Time:	(C) <u>Persons/entities to be served with written opposition to the motion:</u> -- movant's attorney (or movant, if movant is not represented by an attorney) (D) <u>Service is also required upon:</u> -- United States trustee (<i>electronic service is not permitted</i>) -- Judge's copy personally delivered to chambers (see Court Manual for address)
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(6) ☐ Regarding a **reply to an opposition:**

☒ a reply to opposition may be made **orally** at the hearing.

☐ no later than the deadlines given, a **written reply to an opposition** must be filed with the court and served on all persons/entities listed using: ☐ one of the methods checked ☐ all of the methods checked

(A) ☐ Personal Delivery ☐ Overnight Mail ☐ First Class Mail ☐ Facsimile* ☐ Email*

(B) <u>Deadlines:</u> Date: Time:	(C) <u>Persons/entities to be served with written reply to opposition:</u> -- All persons/entities who filed a written opposition (D) <u>Service is also required upon:</u> -- United States trustee (<i>electronic service is not permitted</i>) -- Judge's Copy personally delivered to chambers (see Court Manual for address)
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(7) ☒ Other requirements:

- **No later than 5:00 p.m. on March 5, 2024, the debtor must file a declaration and updated cash collateral budget illustrating its proposed payments of the Amazon prepetition debt over time, during the postpetition period, i.e., when each installment payment of the prepetition debt will be made and for how much.**


- (8) ☒ No later than the deadlines given, movant must file a **Declaration of Notice and Service** establishing that telephonic notice, written notice, and service of the motion and this order was completed as set forth above, and a **judge's copy** of the Declaration of Notice and Service must be personally delivered to the judge's chambers:

<input checked="" type="checkbox"/> at least 2 days before the hearing.
<input type="checkbox"/> no later than: Date: Time:

* Service by electronic means (facsimile or email) requires compliance with F.R.Civ.P. 5(b)(2)(E).

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Date: March 4, 2024


Victoria S. Kaufman
United States Bankruptcy Judge